

custody order if there is clear and convincing evidence that it is in the best interest of the child.

“(b) COMPLETION OF DEPLOYMENT.—In any preceding covered under subsection (a), a court shall require that, upon the return of the servicemember from deployment in support of a contingency operation, the custody order that was in effect immediately preceding the date of the deployment of the servicemember is reinstated.

“(c) EXCLUSION OF MILITARY SERVICE FROM DETERMINATION OF CHILD’S BEST INTEREST.—If a motion for the change of custody of the child of a servicemember who was deployed in support of a contingency operation is filed after the end of the deployment, no court may consider the absence of the servicemember by reason of that deployment in determining the best interest of the child.

“(d) CONTINGENCY OPERATION DEFINED.—In this section, the term ‘contingency operation’ has the meaning given that term in section 101(a)(13) of title 10, United States Code, except that the term may include such other deployments as the Secretary may prescribe.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by adding at the end of the items relating to title II the following new item: “208. Child custody protection.”.

AMENDMENT NO. 10 OFFERED BY MRS. DRAKE

The text of the amendment is as follows:

In section 606, strike subsection (b).

AMENDMENT NO. 17 OFFERED BY MR. HOLDEN

The text of the amendment is as follows:

At the end of subtitle D of title V, add the following new section:

**SEC. 557. ESTABLISHMENT OF COMBAT MEDEVAC BADGE.**

(a) ARMY.—

(1) IN GENERAL.—Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 3757. Combat Medevac Badge**

“(a) The Secretary of the Army shall issue a badge of appropriate design, to be known as the Combat Medevac Badge, to each person who while a member of the Army served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meets the requirements for the award of that badge.

“(b) The Secretary of the Army shall prescribe requirements for eligibility for the Combat Medevac Badge.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“3757. Combat Medevac Badge”.

(b) NAVY AND MARINE CORPS.—

(1) IN GENERAL.—Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 6259. Combat Medevac Badge**

“(a) The Secretary of the Navy shall issue a badge of appropriate design, to be known as the Combat Medevac Badge, to each person who while a member of the Navy or Marine Corps served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meets the requirements for the award of that badge.

“(b) The Secretary of the Navy shall prescribe requirements for eligibility for the Combat Medevac Badge.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“6259. Combat Medevac Badge”.

(c) AIR FORCE.—

(1) IN GENERAL.—Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 8757. Combat Medevac Badge**

“(a) The Secretary of the Air Force shall issue a badge of appropriate design, to be known as the Combat Medevac Badge, to each person who while a member of the Air Force served in combat on or after June 25, 1950, as a pilot or crew member of a helicopter medical evacuation ambulance and who meets the requirements for the award of that badge.

“(b) The Secretary of the Air Force shall prescribe requirements for eligibility for the Combat Medevac Badge.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“8757. Combat Medevac Badge”.

(d) AWARD FOR SERVICE BEFORE DATE OF ENACTMENT.—In the case of persons who, while a member of the Armed Forces, served in combat as a pilot or crew member of a helicopter medical evacuation ambulance during the period beginning on June 25, 1950, and ending on the date of enactment of this Act, the Secretary of the military department concerned shall issue the Combat Medevac Badge—

(1) to each such person who is known to the Secretary before the date of enactment of this Act; and

(2) to each such person with respect to whom an application for the issuance of the badge is made to the Secretary after such date in such manner, and within such time period, as the Secretary may require.

AMENDMENT NO. 18 OFFERED BY MR. LINCOLN DIAZ-BALART OF FLORIDA

The text of the amendment is as follows:

Title V, subtitle C, add at the end (page 223, after line 5) the following:

**SEC. 5. NAVY SENIOR RESERVE OFFICERS’ TRAINING CORPS PROGRAM AT UNIVERSITY OF MIAMI, CORAL GABLES, FLORIDA.**

The Secretary of the Navy may establish and maintain a Senior Reserve Officers’ Training Corps program under section 2102 of title 10, United States Code, at the University of Miami, Coral Gables, Florida.

AMENDMENT NO. 26 OFFERED BY MR. KENNEDY

The text of the amendment is as follows:

At the end of subtitle B of title XIV, add the following new section:

**SEC. 1439. DEPARTMENT OF DEFENSE STUDY ON THE FEASIBILITY OF MEASURING FAMILY MEMBER SATISFACTION WITH HEALTH CARE SERVICES.**

The Secretary of Defense shall conduct a study on the feasibility of measuring family member satisfaction with the quality of health care services provided to patients, particularly those patients incapacitated by injuries that render them unable to respond completely to surveys on their own.

AMENDMENT NO. 27 OFFERED BY MR. LAHOOD

The text of the amendment is as follows:

At the end of title V, add the following new section:

**SEC. 5. LIMITATION ON SIMULTANEOUS DEPLOYMENT TO COMBAT ZONES OF DUAL-MILITARY COUPLES WHO HAVE MINOR DEPENDENTS.**

In the case of a member of the Armed Forces with minor dependents who has a spouse who is also a member of the Armed Forces, and the spouse is deployed in an area

for which imminent danger pay is authorized under section 310 of title 37, United States Code, the member may request a deferment of a deployment to such an area until the spouse returns from such deployment.

AMENDMENT NO. 36 OFFERED BY MR. THOMPSON OF CALIFORNIA

The text of the amendment is as follows:

At the end of title V, add the following new section:

**SEC. 5. PROHIBITION AGAINST MEMBERS OF THE ARMED FORCES PARTICIPATING IN CRIMINAL STREET GANGS.**

The Secretary of Defense shall revise section 3.5.8 of Department of Defense Directive 1325.6 to include membership in a criminal street gang among the list of prohibited activities by members of the Armed Forces.

AMENDMENT NO. 37 OFFERED BY MRS. CAPITO

The text of the amendment is as follows:

At the end of title X, insert the following new section:

**SEC. . SENSE OF CONGRESS REGARDING A MEMORIAL FOR MEMBERS OF THE ARMED FORCES WHO DIED IN AIR CRASH IN BAKERS CREEK, AUSTRALIA.**

(a) FINDINGS.—Congress finds the following:

(1) During the Second World War, the United States Army Air Corps established rest and recreation facilities in Mackay, Queensland, Australia.

(2) From the end of January 1943 until early 1944, thousands of United States servicemen were ferried from jungle battlefields in New Guinea to Mackay.

(3) These servicemen traveled by air transport to spend an average of 10 days on a rest and relaxation furlough.

(4) They usually were carried by two B-17C Flying Fortresses converted for transport duty.

(5) On Monday, June 14, 1943, at about 6 a.m., a B-17C, Serial Number 40-2072, took off from Mackay Airport for Port Moresby.

(6) There were 6 crew members and 35 passengers aboard.

(7) The aircraft took off into fog and soon made two left turns at low altitude.

(8) A few minutes after takeoff, when it was five miles south of Mackay, the plane crashed at Bakers Creek, killing everyone on board except Corporal Foye Kenneth Roberts of Wichita Falls, Texas, the sole survivor of the accident.

(9) The cause of the crash remains a mystery, and the incident remains relatively unknown outside of Australia.

(10) United States officials, who were under orders not to reveal the presence of Allied troops in Australia, kept the crash a military secret during the war.

(11) Due to wartime censorship, the news media did not report the crash.

(12) Relatives of the victims received telegrams from the United States War Department stating little more than that the serviceman had been killed somewhere in the South West Pacific.

(13) The remains of the 40 crash victims were flown to Townsville, Queensland, where they were buried in the Belgian Gardens United States military cemetery on June 19, 1943.

(14) In early 1946, they were disinterred and shipped to Hawaii, where 13 were reburied in the National Memorial Cemetery of the Pacific, and the remainder were returned to the United States mainland for reburial.

(15) 15 years ago, Robert S. Cutler was reading his father’s wartime journal and found a reference to the tragic B-17C airplane accident.